



DEPARTMENT OF THE NAVY  
BASE REALIGNMENT AND CLOSURE  
PROGRAM MANAGEMENT OFFICE WEST  
33000 NIXIE WAY, BLDG 50 Suite 207  
SAN DIEGO, CA 92147

5720  
Ser BPMOW.sda/044  
February 22, 2019

Mr. Steve Castleman  
Environmental Law and Justice Clinic  
536 Mission Street  
San Francisco, CA 94105

Dear Mr. Castleman:

This letter responds to your Freedom of Information Act (FOIA) request of December 7, 2018 in which you seek the following:

This request seeks all written communications, documents, reports, draft reports and/or any other written communications between the EPA and the US Navy concerning the EPA's Preliminary Remediation Goals (PRGs), both for soil and buildings, for use in the remediation of the former Hunters Point Naval Shipyard (HPNS) in San Francisco California from January 1, 2017 through and including the date of this request This request includes, but is not limited to, the following documents:

1. All reports, including draft reports, submitted to the EPA by the Navy for EPA's review, comment and/or approval.
2. All responses, including draft responses, transmitted by the EPA to the Navy in reply to or concerning the Navy documents sought by item #1 above.
3. All documents, including draft documents, reporting the results or partial results of PRG calculations by the Navy and/or its contractors.
4. All documents, including draft documents, concerning EPA's review of and/or comments to Navy documents identified in item #3 above.
5. All documents, including draft documents, reporting the results of PRG calculations by the EPA to the Navy and/or its contractors. This request excludes emails and text messages, which will be requested separately.

Your request was received by this office on December 11, 2018 and assigned file number DON-Navy-2019-001873.

Despite diligent efforts, we are unable to provide you a final determination on your request by our initial date provided in our January 11, 2019 extension letter because of the need to search for, collect, and examine responsive records and the need to consult with other naval activities which has substantial subject-matter interest in the release determination of identified responsive records. The processing of your request is being continued and is expected to be completed by **March 29, 2019**.

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In view of the above, you may consider this to be an adverse determination that may be appealed. Since you have created an account in FOIA online, you may submit an appeal directly within the web-based system. To do this, you would log in to your account, retrieve your original request, and then click on the "Create Appeal" tab in the left-hand column. The basic information from your request will be duplicated for you, and then you can type in the basis of your appeal. If you prefer to use regular mail, you may submit an appeal to:

The Department of the Navy  
Office of the General Counsel (ATTN: FOIA APPEALS)  
1000 Navy Pentagon, Room 5A532  
Washington, DC 20350-1000

Your appeal, if any, must be postmarked within 60 calendar days from the date of this letter and should include a copy of your initial request, a copy of this letter, and a statement indicating why you believe your appeal should be granted.

You may modify your request to allow this agency to complete its processing in an alternative time frame. To discuss this option or for any further assistance regarding any aspect of your request, you have the right to contact the Department of the Navy FOIA Public Liaison, Mr. Christopher Julka, at [Christopher.A.Julka@navy.mil](mailto:Christopher.A.Julka@navy.mil) or (703) 697-0031. Additionally, you have the right to contact the Office of Government Information Services (OGIS) to inquire about the FOIA mediation services they offer. The contact information for OGIS is: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-01, e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Should you agree to await a substantive response, your right to appeal any denial of information, in whole or in part, will not be prejudiced. In the event of a partial or total denial, you will be afforded 60 calendar days from the date of denial in which to appeal.

Any questions concerning this matter should be directed to Mr. Scott Anderson who may be contacted at [scott.d.anderson@navy.mil](mailto:scott.d.anderson@navy.mil) or 619-524-5808.

Sincerely,



KIMBERLY A. OSTROWSKI  
Director